

UNITED STATES COURT OF APPEALS
THIRD CIRCUIT

(973) 622-4828

CHAMBERS OF
JOSEPH A. GREENAWAY, JR.
JUDGE

U.S.P.O. and Courthouse
2 Federal Square
P.O. Box 999
Newark, New Jersey 07102-0999

June 8, 2010

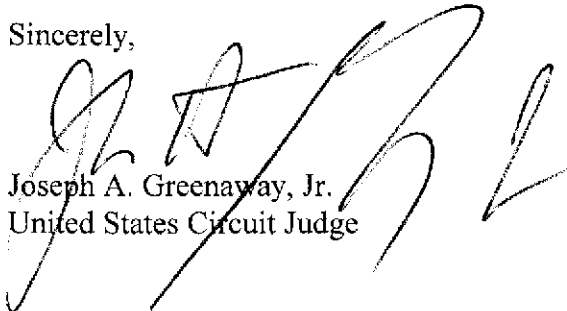
Edward J. McQuat, Esquire
The Blanch Law Firm, P.C.
261 Madison Avenue
12th Floor
New York, NY 10016

Re: U.S. v. Dmitry Guzner, Crim. No. 09-87

Dear Mr. McQuat:

I am writing in response to your letter, dated May 25, 2010 and received in my chambers on June 7, 2010, in which you ask that I recommend that Dmitry Guzner serve his federal sentence at Allenwood Low Security Federal Correctional Institution, rather than Moshannon Low Security Federal Correctional Institution. After imposing sentence, a federal judge has no authority to make any determinations about that sentence, such as where the sentence will be served, how to calculate the time served, or what programs should be offered during the term of sentence. Rather, authority for implementing a sentence and overseeing the term of custody rests with the Bureau of Prisons. See, e.g., 18 U.S.C. §§ 3585, 3621, 3624. Therefore, under the applicable statutory authority, I am unable to take any action regarding where Mr. Guzner serves his federal sentence.

Sincerely,



Joseph A. Greenaway, Jr.
United States Circuit Judge